

Kalispel Tribe SEPA Scoping Comments to Spokane River Variances

The Kalispel Tribe does not support any proposal effectively allowing open-ended variances to water quality criteria that may create state-wide precedence for allowing point source dischargers to perpetually contribute to the loss or impairment of beneficial uses by discharging extremely toxic chemicals like PCB and Dioxin. These types of persistent chemicals bio-magnify in the aquatic ecosystem and create unacceptable human health risks now and far into the future for all who consume fish contaminated by them. This risk is particularly acute for tribal members and other people who consume a lot of fish.

A variance proposal without a Total Maximum Daily Load (TMDL) with a viable implementation plan in place will undermine the fundamental goal of the Clean Water Act for restoring the fishable integrity of our nation's waters. There does not appear to be any factor that would exclude the same open-ended variance process as apparently being proposed for the Spokane River from being applied to other waterbodies with similar pollution problems such as the Pend Oreille River.

A comprehensive EIS is necessary to evaluate the near- and long-term impacts of the proposed variances on the attainment of all beneficial uses in the Spokane River. In addition, because any authorized variances here may have precedential value, the EIS should analyze potential effects on all other watersheds where similar pollution problems exist.